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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,573	02/08/2006	Pol Nisenblat	P-8430-US	2537
49443 7590 11/07/2007 PEARL COHEN ZEDEK LATZER, LLP 1500 BROADWAY 12TH FLOOR NEW YORK, NY 10036			EXAMINER WACHSMAN, HAL D	
			ART UNIT 2857	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/567,573

Applicant(s)

NISENBLAT ET AL.

Examiner

Hal D. Wachsmen

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-49 is/are pending in the application.
- 4a) Of the above claim(s) 35-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,8,13-33 and 47-49 is/are rejected.
- 7) ☒ Claim(s) 4-6,9-12 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8-20-07</u> . | 6) <input type="checkbox"/> Other: _____ |

1. As was cited in paragraph 2 of the previous Office action, claims 35-46 stand withdrawn from further consideration pursuant to 37 C.F.R. 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 3-6-07 however nonelected claims 35-46 have not been cancelled. Appropriate correction is required.
2. Claims 1 and 30 in the reply filed 8-20-07 are improper under 37 C.F.R. 1.121 because in each of these claims parallel lines are being used to delete text in the claims. In addition, claim 13 is improper under 37 C.F.R. 1.121 because double brackets are being used to delete the word "signal" however double brackets can only be used to delete five or fewer consecutive characters. Appropriate correction is required.
3. The replacement Abstract in the reply filed 8-20-07 in lines 1-2 states "...The method includes of acquiring data..." but includes what of acquiring data ? The last line of the Abstract states "individually. And storing these values..." however was this intended to be "individually and storing these values..." ? In addition, the various reference numerals such as "(202)", etc. are not necessary and should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 3, 8, 13, 14, 18-21, 23-28, 31 and 47-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over "An enhanced data compression method for applications in power quality analysis" (Ribeiro et al.) in view of Jonker et al. (6,615,147).

As per claim 1, Ribeiro et al. (Abstract, figure 8) disclose "acquiring data representing a plurality of periods of the waveform" but does not clearly disclose that the acquiring of data "comprises acquiring samples of the power signal and dividing the samples into groups corresponding to cycles of the power signal". Ribeiro et al. (section II, pages 676, 677) disclose "decomposing the waveform of the power signal...over said plurality of periods of the waveform". Ribeiro et al. (section III – page 677, section IV – pages 677, 678) disclose "compressing values...over said plurality of periods separately". As already noted above, Ribeiro et al. does not clearly disclose that the

acquiring of data "comprises acquiring samples of the power signal and dividing the samples into groups corresponding to cycles of the power signal" however Jonker et al. (Abstract, figures 15 (see all), 16 (see all), col. 20 lines 61-67, col. 21 lines 1-4, col. 30 lines 56-62) teach this excepted feature. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Jonker et al. to the invention of Ribeiro et al. as specified above because Ribeiro et al. disclose an enhanced data compression method for applications in **power quality** analysis while Jonker et al. teach a revenue meter with **power quality** features.

As per claim 3, Ribeiro et al. (section IV – pages 677, 678) disclose the feature of this claim.

As per claim 8, Jonker et al. (Abstract, col. 26 lines 45-52) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Jonker et al. to the invention of Ribeiro et al. as specified above because Ribeiro et al. disclose an enhanced data compression method for applications in **power quality** analysis while Jonker et al. teach a revenue meter with **power quality** features.

As per claim 13, Ribiero et al. (page 679 – right column, page 680 – figure 8) disclose the feature of this claim.

As per claim 14, Jonker et al. (figure 7 – see line frequency measurement, figure 16 – see all) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Jonker et al. to the invention of Ribeiro et al. as specified above because

Ribeiro et al. disclose an enhanced data compression method for applications in **power quality** analysis while Jonker et al. teach a revenue meter with **power quality** features.

As per claim 18, Jonker et al. (figure 28 - blocks 2805, 2820, 2825) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Jonker et al. to the invention of Ribeiro et al. as specified above because Ribeiro et al. disclose an enhanced data compression method for applications in **power quality** analysis while Jonker et al. teach a revenue meter with **power quality** features.

As per claim 19, Ribeiro et al. (page 676 – right column, page 677 – section III, page 678 – left column) disclose the feature of this claim.

As per claim 20, Ribeiro et al. (see at least figure 4) disclose the feature of this claim.

As per claim 21, Ribeiro et al. (figure 4, page 678 – see Time Index which can specify the time interval) disclose the feature of this claim.

As per claim 23, Ribeiro et al. (section III – page 677, section IV – pages 677, 678) disclose the feature of this claim.

As per claim 24, Ribeiro et al. (section III – page 677, section IV – pages 677, 678) disclose the feature of this claim.

As per claim 25, Ribeiro et al. (section IV – pages 677, 678) disclose the feature of this claim.

As per claim 26, Ribeiro et al. (section III – page 677, section IV – pages 677, 678) disclose the feature of this claim.

As per claim 27, Jonker et al. (col. 17 lines 6-8) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Jonker et al. to the invention of Ribeiro et al. as specified above because Ribeiro et al. disclose an enhanced data compression method for applications in **power quality** analysis while Jonker et al. teach a revenue meter with **power quality** features.

As per claim 28, Jonker et al. (col. 17 lines 6-8) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Jonker et al. to the invention of Ribeiro et al. as specified above because Ribeiro et al. disclose an enhanced data compression method for applications in **power quality** analysis while Jonker et al. teach a revenue meter with **power quality** features.

As per claim 31, Ribeiro et al. (section II – pages 676, 677, figure 8) disclose the feature of this claim.

As per claim 47, Ribeiro et al. (section III – page 677, section IV – pages 677, 678) disclose the feature of this claim.

As per claim 48, Ribeiro et al. (section IV – pages 677, 678) disclose the feature of this claim.

As per claim 49, Ribeiro et al. (section VII – page 679) disclose the feature of this claim.

6. Claims 15-17, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over “An enhanced data compression method for applications in power

quality analysis" (Ribeiro et al.) in view of Jonker et al. (6,615,147) as applied to claims 14 and 1 above, and further in view of Van Doorn et al. (5,736,847).

As per claim 15, Van Doorn et al. (figure 4 – see input signal with fundamental frequency and block 93, col. 4 lines 30-34) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Van Doorn et al. to the inventions of Ribeiro et al. and Jonker et al. as specified above because Ribeiro et al. disclose an invention for use in *power quality* analysis, Jonker et al. disclose a revenue meter with *power quality* features and Van Doorn et al. (col. 1 lines 12-15) relates to a digital power monitoring system which provides the capability to monitor the **quality of the power** being transmitted through a power system.

As per claim 16, Van Doorn et al. (col. 4 lines 29-34, 61-64, col. 7 lines 12-15) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Van Doorn et al. to the inventions of Ribeiro et al. and Jonker et al. as specified above because Ribeiro et al. disclose an invention for use in *power quality* analysis, Jonker et al. disclose a revenue meter with *power quality* features and Van Doorn et al. (col. 1 lines 12-15) relates to a digital power monitoring system which provides the capability to monitor the **quality of the power** being transmitted through a power system.

As per claim 17, Van Doorn et al. (col. 4 lines 29-34, 61-64, col. 7 lines 12-15) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Van Doorn

et al. to the inventions of Ribeiro et al. and Jonker et al. as specified above because Ribeiro et al. disclose an invention for use in *power quality* analysis, Jonker et al. disclose a revenue meter with *power quality* features and Van Doorn et al. (col. 1 lines 12-15) relates to a digital power monitoring system which provides the capability to monitor the **quality of the power** being transmitted through a power system.

As per claim 29, Van Doorn et al. (see at least figures 5 and 6) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Van Doorn et al. to the inventions of Ribeiro et al. and Jonker et al. as specified above because Ribeiro et al. disclose an invention for use in *power quality* analysis, Jonker et al. disclose a revenue meter with *power quality* features and Van Doorn et al. (col. 1 lines 12-15) relates to a digital power monitoring system which provides the capability to monitor the **quality of the power** being transmitted through a power system.

As per claim 30, Van Doorn et al. (col. 7 lines 38-63) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Van Doorn et al. to the inventions of Ribeiro et al. and Jonker et al. as specified above because Ribeiro et al. disclose an invention for use in *power quality* analysis, Jonker et al. disclose a revenue meter with *power quality* features and Van Doorn et al. (col. 1 lines 12-15) relates to a digital power monitoring system which provides the capability to monitor the **quality of the power** being transmitted through a power system.

7. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over "An enhanced data compression method for applications in power quality analysis" (Ribeiro et al.) in view of Jonker et al. (6,615,147) as applied to claim 1 above, and further in view of Wiese, Jr. (6,493,666).

As per claim 22, Wiese, Jr. (see at least abstract) teaches the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Wiese, Jr. to the inventions of Ribeiro et al. and Jonker et al. as specified above because as taught by Wiese, Jr. (col. 1 lines 15-17) the ability to transmit data rapidly to virtually any place in the world has become one of the defining characteristics of the current information age.

8. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jonker et al. (6,615,147) in view of Forth et al. (6,671,654).

As per claim 32, Jonker et al. (Abstract, figure 15 – see waveform at bottom, col. 30 lines 56-62) disclose "acquiring samples of the power signal". Jonker et al. (figure 16 – see all, col. 20 lines 61-67, col. 21 lines 1-4) disclose "dividing the samples into groups corresponding to cycles of the power signal". Jonker et al. (Abstract, col. 26 lines 45-52) disclose "transforming the samples of each group, into harmonic component values". Jonker et al. (see at least abstract) disclose "storing a representation of the harmonic component values on a non-volatile storage medium" but does not clearly disclose that the storing is being done continuously over at least a week. However, Forth et al. (col. 5 lines 43-48) teach this excepted feature. It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to apply the techniques of Forth et al. to the invention of Jonker et al. as specified above because power demands on an electrical distribution system may vary on different days of the week so a more accurate, comprehensive snapshot of power quality would be obtained by monitoring over at least a week.

9. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jonker et al. (6,615,147) in view of Forth et al. (6,671,654) as applied to claim 32 above, and further in view of "An enhanced data compression method for applications in power quality analysis" (Ribeiro et al.).

As per claim 33, Ribeiro et al. (see at least abstract) teach a compression technique that can be applied to store a compressed representation of the harmonic component values. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Ribeiro et al. to the inventions of Jonker et al. and Forth et al. as specified above because Forth et al. (col. 1 lines 60-62) teach that energy meters are capable of measuring and recording *power quality*, Jonker et al. disclose a revenue meter with *power quality* features and Ribeiro et al. teach a data compression method for applications in *power quality* analysis.

10. Claims 4-6, 9-12 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Applicant's arguments with respect to the rejected claims above have been considered but are moot in view of the new ground(s) of rejection.


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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D. Wachsman whose telephone number is 571-272-2225. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on 571-272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Hal D Wachsman
Primary Examiner
Art Unit 2857

HW
November 4, 2007